

Docket No.  
LEAP:109\_US\_

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

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JUL 15 2002  
TECHNOLOGY CENTER 280C

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF A MICROSCOPE**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on January 7, 2002 as United States Application No. or PCT International  
Application Number 10/040,566  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**Robert P. Simpson, Esq., Registration No. 33,034**

**R. Craig Kauffman, Esq., Registration No. 20,362**

**Howard M. Ellis, Esq., Registration No. 25,856**

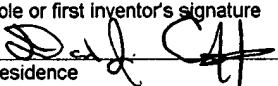
**Edward Tracy, Jr., Esq., Registration No. 47,998**

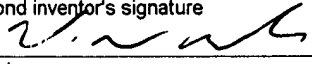
**with the law firm of :**

**Simpson & Simpson, PLLC**

**Send Correspondence to:** **Robert P. Simpson, Esq.**  
**Simpson & Simpson, PLLC**  
**5555 Main Street**  
**Williamsville, NY 14221**

**Direct Telephone Calls to:** *(name and telephone number)*  
**Robert P. Simpson, Esq., Telephone No. 716-626-1564**

Full name of sole or first inventor <b>David J. CASH</b>	
Sole or first inventor's signature 	Date <b>17 April 2002</b>
Residence <b>123 Heath Terrace, Kenmore, New York 14223 US</b>	
Citizenship <b>United States</b>	
Post Office Address <b>Same as Above</b>	

Full name of second inventor, if any <b>Vincent VACCARELLI</b>	
Second inventor's signature 	Date <b>April 17, 2002</b>
Residence <b>70 Montbleu Drive, Getzville, New York 14068 US</b>	
Citizenship <b>United States</b>	
Post Office Address <b>Same as Above</b>	

### **Assignment of Rights, Title and Interest in Invention (Multiple inventors; single assignee)**

Docket No.  
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Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

*And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;*

*Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;*

*We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;*

*And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;*

*And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.*

*Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)*

[illegible]



COPY OF PAPERS  
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Cash

Serial No.: 10/040,566

Filed: January 7, 2002

For: METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF  
A MICROSCOPE

RECEIVED  
JUL 15 2002  
TECHNOLOGY CENTER 2800

STATEMENT UNDER 37 CFR §1.48(a)

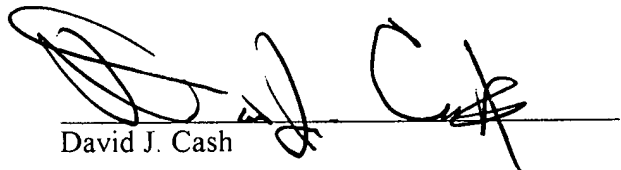
I, the undersigned, hereby declare that I am a joint inventor of the subject matter which is claimed and for which United States Patent Application Serial No. 10/040,566 was filed on January 7, 2002 for the invention entitled METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF A MICROSCOPE.

I also hereby declare that I have no disagreement in regard to the change in inventorship which adds Vincent Vaccarelli as a joint inventor.

I also state that I assigned my entire right, title and interest in the above-identified patent to Leica Microsystems Inc. by virtue of an Assignment executed on April 17, 2002 and mailed for recordal in the in the United States Patent and Trademark Office on April 23, 2002.

I, the undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the above-identified patent, hereby declare that the facts set forth in this Statement are true.

12 June 02  
Date

  
David J. Cash



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Cash

Serial No.: 10/040,566

Filed: January 7, 2002

For: METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF  
A MICROSCOPE

RECEIVED  
JUL 15 2002  
TECHNOLOGY CENTER 2800

STATEMENT UNDER 37 CFR §1.48(a)(2)

I, Vincent Vaccarelli, a citizen of the United States of America residing at 70 Montbleu Drive, Getzville, New York 14068, hereby declare that I am a joint inventor of the subject matter which is claimed and for which United States Patent Application Serial No. 10/040,566 was filed on January 7, 2002 for the invention entitled METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF A MICROSCOPE.

I also hereby declare that my name was inadvertently omitted from United States Patent Application Serial No 10/040,566, filed on January 7, 2002. I hereby declare that this inventorship error occurred without any deceptive intent on my part.

I also state that I assigned my entire right, title and interest in the above-identified patent to Leica Microsystems Inc. by virtue of an Assignment executed on April 17, 2002 and mailed for recordal in the United States Patent and Trademark Office on April 23, 2002.

I, the undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the above-identified patent, hereby declare that the facts set forth in this Statement are true.

12 July 02  
Date

Vincent Vaccarelli 12 July 02  
Vincent Vaccarelli



COPY OF PAPERS  
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Cash

Serial No: 10/040,566

Filed: January 7, 2002

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TECHNOLOGY CENTER 280C

STATEMENT UNDER 37 CFR §1.48(a)(5)

Leica Microsystems Inc. hereby states that it is the Assignee of the entire right, title and interest in the above-identified patent application as set forth in the attached Statement Under 37 CFR 3.73(b).

Leica Microsystems Inc. also hereby states that it has no disagreement in regard to the change in inventorship in the above-identified patent application which adds Vincent Vaccarelli as a joint inventor.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the above-identified patent, hereby declares that he is authorized to act on behalf of Assignee, and that the facts set forth in this Statement are true.

LEICA MICROSYSTEMS INC.

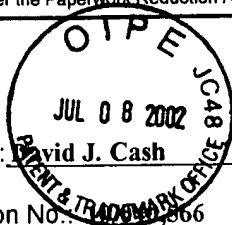
Date

6-12-02

Mark E. Wood

Director of Finance

*Secretary*



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant: David J. Cash

Application No. 2001-01866 Filed: January 7, 2002

Entitled: METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF A MICROSCOPE

Leica Microsystems Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

6-12-02  
Date

ME Wood  
Signature

Mark E. Wood  
Typed or printed name

Director of Finance / Secretary  
Title

RECEIVED  
JUL 15 2002  
TECHNOLOGY CENTER 280C



FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
POBA/REV03

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## PATENTS ONLY

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

CASH, David J.  
VACCARELLI, VincentAdditional names(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: 04/17/2002

## 2. Name and address of receiving party(ies):

Name: Leica Microsystems Inc.

Address: 3362 Walden Avenue

City: Depew

State/Prov.: NY

Country: US

ZIP: 14043

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Patent Application No. Filing date

10/040,566

01/07/2002

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert P. Simpson

Registration No. 33,034

Address: Simpson &amp; Simpson, PLLC

5555 Main Street

City: Williamsville

State/Prov.: NY

Country: US

ZIP: 14221-5406

## 6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

## 8. Deposit account number:

50-0822

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert P. Simpson

Name of Person Signing

Signature

April 23, 2002

Date

Total number of pages including cover sheet, attachments, and document: 3

**Assignment of Rights, Title and Interest in Invention**  
(Multiple inventors; single assignee)

Docket No.  
LEAP:109\_US\_

*This is an Assignment of the following rights, title and interest: (check all that apply):*

- ☒ *United States of America rights, title and interest in the invention*  
☒ *Foreign rights, title and interest in the invention*  
☒ *United States Patent Application Serial No. 10/040,566*

*Date of Execution:* \_\_\_\_\_ *Date of Filing:* 01/07/2002

- ☐ *United States Provisional Patent Application Serial No.* \_\_\_\_\_  
☐ *United States Patent No(s).* \_\_\_\_\_  
☐ *International (PCT) Patent Application Serial No.* \_\_\_\_\_  
☐ *Other (specify)* \_\_\_\_\_

**Title of the Invention**

METHOD AND APPARATUS FOR AUTOMATICALLY SHUTTING OFF A MICROSCOPE

**Inventors (assignors)**

<i>Name</i>	<i>Address</i>
David J. CASH	123 Heath Terrace, Kenmore, New York 14223 US
Vincent VACCARELLI	70 Montbleu Drive, Getzville, New York 14068 US

**Assignee**

<i>Name</i>	<i>Address</i>
Leica Microsystems Inc.	3362 Walden Avenue, Depew, New York 14043 US